

New law allows an active or reserve member of the armed forces of the United States, including the National Guard and the United States Coast Guard, may terminate his residential lease agreement if he:

- (1) Receives initial or permanent change of station orders to depart 35 miles or more from the location of the dwelling unit.
- (2) Receives initial or temporary duty orders in excess of three months duration to depart 35 miles or more from the location of the dwelling unit.
- (3) Is discharged, released, or retires.
- (4) Is ordered to reside in government-supplied quarters.

New law provides that in order for the member to terminate his lease he must serve on the lessor a written notice of termination to be effective on a date stated therein, said date to be not less than 30 days after the date the notice is served on the lessor. Under new law, the termination shall be no more than 60 days prior to the date of departure necessary to comply with the official orders or any supplemental instructions for interim training or duty prior to transfer. New law also requires that the member furnish the lessor with a copy of the official notification of orders or a signed letter confirming the orders from the member's commanding officer.

New law further provides that the member shall not be liable for more than one month's rent if, as of the effective date of the termination, the member has completed less than six months of the lease agreement or one-half of the rent for one month if the member has completed at least six months of the lease agreement. In addition, the member shall be entitled to the full return of any security deposit, if he has otherwise complied with the requirements of the lease.

New law states that the provisions of this Section may not be waived or modified by the agreement of the parties under any circumstances.

Effective August 15, 1999.

(Adds R.S. 9:3261)